

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

VIRGIN RECORDS AMERICA, INC., *et al.*,

Plaintiffs,

v.

JOHN DOES 1-35,

Defendants.

Civil Action No. 05-1918 (CKK)

**MEMORANDUM OPINION**

(January 11, 2006)

(amended, April 18, 2005)

Before the Court is Plaintiffs' Motion for Leave to take Immediate Discovery. Plaintiffs are record companies suing a series of John Doe Defendants for copyright infringement. Plaintiffs request permission to serve limited, immediate discovery on Verizon, a third party internet service provider ("ISP"), in the form of a Rule 45 subpoena. Plaintiffs seek the true identities of Defendants, including each Defendant's true name, address, telephone number, email address, and Media Access Control ("MAC") address.

According to Plaintiffs' complaint, each Defendant uses an online media distribution system to download Plaintiffs' copyrighted works, distribute these works to the public, and/or make copyrighted works available for distribution to others. *See* Pls.' Mot. at 2-3. Although Plaintiffs do not know Defendants names, Plaintiffs have identified each Defendant by a unique internet protocol ("IP") address assigned to that Defendant on the date and at the time of the allegedly infringing activity. *Id.* Through the use of a publicly available database, Plaintiffs have traced the IP address for each Defendant and determined that it belongs to Verizon. *Id.*

It is clear to the Court that Defendants must be identified before this suit can progress

